**Changing your Electronic Medical Record (EMR) triggers the Privacy Impact Assessment (PIA) requirement for custodians under the Health Information Act (HIA). Meeting your PIA duty under the HIA ensures continued operation of your CII/CPAR data feed with Alberta Netcare following your EMR switch.**

## Who is this FAQ for?

Sites that have already implemented the CII/CPAR data feed planning to move from one EMR product to another. Sites that have already submitted a PIA for their original EMR to the OIPC and are considering how PIA requirements apply to them when moving from one EMR product to another.

### Background

Under the HIA, custodians must submit a PIA to the Office of the Information and Privacy Commissioner (OIPC) of Alberta prior to implementing administrative practices and information systems relating to the collection, use or disclosure of individually identifying health information. A PIA must also be submitted before making any changes to those practices or systems.

Your duty to prepare and submit a PIA under the HIA is mandatory and is triggered any time you implement a new information system or administrative practice that may affect the privacy of the individuals who are the subjects of that information.

### Why is this important?

The PIA is a due diligence tool for identifying and addressing privacy risks that may occur within a practice or information system. While PIAs are project-specific, they also include an examination of organizational privacy practices, policies and procedures the custodian has implemented to support HIA compliance. The OIPC reviews and comments on PIAs to ensure the custodian has taken reasonable measures to protect privacy before providing acceptance.

Besides being a legal obligation, fulfilling your PIA duty ensures continued operation of your CII/CPAR data feed with Alberta Netcare.

- Alberta Health will allow the data feed from your EMR to continue uninterrupted on the condition that you submit your PIA to the OIPC before the go-live date for your new EMR.

- Under HIA you are mandated to submit a PIA to OIPC before the go-live date of your new EMR. The Alberta Health eHealth Services team is available to support and answer any questions regarding the PIA process.

- If Alberta Health eHealth Support Services does not receive confirmation that you have submitted a PIA for your new EMR, then Alberta Health will be obligated to review whether your CII-CPAR data feed should be suspended until confirmation is received.

### We are moving from one EMR product to another, but both products are offered by the same vendor. Does this rule apply in our situation?

Yes. Moving to any new EMR qualifies as implementing a new information system. This rule applies whether you are changing EMR vendors or moving between products offered by the same EMR vendor.

### We have submitted a PIA for our new EMR to the OIPC. Do we need to wait until the OIPC accepts our PIA?

No. Under the HIA you must submit your PIA for your new EMR before implementation. You will need to provide a copy of the cover letter you included with your PIA submission, plus the OIPC's confirmation of receipt, to the Alberta Health eHealth Services team to show that your PIA has been submitted.

It may take several weeks from the time you submit your PIA for your new EMR to the time the OIPC formally accepts your PIA (the OIPC will send you a letter to say whether your PIA has been accepted or

whether they have questions). Alberta Health allows the CII/CPAR data feed from your EMR to continue uninterrupted on the condition that you submit your PIA to the OIPC before the go-live date for your new EMR. The eHealth team will follow up with you later to ensure your PIA submission has been accepted. If the OIPC asks questions about your PIA submission, you may contact the eHealth team for guidance.

**Do we need to do anything else besides prepare and submit a PIA for our new EMR?**

When changing EMR systems, you should also update your Alberta Health Provincial Organizational Readiness Assessment (pORA). The pORA is Alberta Health's due diligence privacy, security and technology readiness checklist that it administers for all custodians using Alberta Health/Netcare systems. Alberta Health's eHealth Services team will assist you in updating your pORA.

**What are my next steps?**

- Prepare and submit a PIA for your new EMR to the OIPC, following the OIPC's PIA Requirements.

- Contact the Alberta Health eHealth Services team who will assist you in updating your pORA to reflect your new EMR.

- When you have submitted your PIA to the OIPC, provide a copy of your PIA submission cover letter and OIPC receipt confirmation to your eHealth Services contact.

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